Remarks/Arguments:

Introduction

Claim 1 has been amended to include that the tamper-evident ring has a larger diameter than the underside of the collar. Claims 1-5 have been non-narrowingly amended to remove reference numbers in the claims in accordance with standard U.S. practice. Claim 6 has been added. Support for newly added claim 6 may be found in previously presented claims 1 and 2. Claim 7 has been added. Support for newly added 7 may be found in currently amended claim 1, in the specification at page 4, lines 7-8, where the injected-moulded limitation is mentioned, and in currently amended claim 2.

No new matter is introduced with these amendments. Entry of the amendments is respectfully requested.

Section 103 Rejections

Claims 1-5 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,660,289 to Spatz et al. (hereinafter "Spatz") in view of U.S. Patent No. 6,253,940 to Graham et al. (hereinafter "Graham"). Applicant respectfully traverses.

It is an object of the invention to improve the injection-moulding process of the collar and associated tamper-evident ring. Prior art screw caps are difficult to produce by injection-moulding. In particular if the flexible blocking members are oriented in such a manner with respect to the cap that they point upwards towards the cap, the cap will be very difficult to remove from the mould after the injection-moulding has taken place. It is impeded by the flexible blocking members. The caps of the prior art will have to be deformed in order for the cap to be removed from the mould.

Therefore, screw caps are commonly injection moulded with the flexible blocking members pointing downwards, e.g. as in the cited US documents. Upon placing such a cap on the container, the blocking members are folded upwards.

The invention solves this injection-moulding problem by providing a tamper evident ring with a larger diameter than the underside of the collar in combination with a blocking member being arranged offset, as seen in the circumferential direction, with respect to a connecting body that has to extend radially inward to connect the tamper-evident ring to the underside of the collar. It is now possible for a mould portion to pass unimpeded through an opening between successive connecting bodies to form the blocking member (at least the upper side thereof) and to be easily removed from the device without deforming the mould and/or the device.

Neither Spatz nor Graham discloses a tamper-evident ring with a larger diameter than the underside of the collar. Both Spatz and Graham disclose a tamper-evident ring that is vertically in line with the underside of the collar. Comparing the figures of both Spatz and Graham with Figure 3 of the subject application clearly shows this difference. The screw caps of Spatz and Graham therefore do not have the advantage during the injection-moulding process as the invention according to claim 1.

The abovementioned feature of the larger diameter of the tamper-evident ring is implicitly mentioned in originally filed claim 1 due to the phrase: "*wherein each connecting body extends radially inwards from the top side of the ring segment*". Nevertheless, claim 1 has been amended by explicitly mentioning the difference in diameter and the resulting opening as seen in plan view (see Fig. 3 of the subject application).

As can be seen in the respective figures of Spatz and Graham, their blocking members are fabricated extending radially inwards and downwards. This allows an easy deformation of the blocking members when the device is removed from the mould. After fabrication, the blocking members are folded back to extend radially inwards and upwards.

The invention according to claim 1 is particular useful for fabricating the blocking members radially inwards and upwards instead of downwards, thereby avoiding the deformation of the blocking members and the folding process.

Claim 2 currently on file states that the blocking member is a lip which projects obliquely upwards and inwards from the inner side of the ring segment. Claim 6 has been added to include this feature in independent form with the limitations of previously presented claim 1.

Claim 7 has been added to include the limitation of the plastic collar being injected-moulded and further include the limitations of currently amended claims 1 and 2. Spatz and Graham fail to teach or suggest that the lip may project obliquely upwards and inwards *during injection-moulding*.

Accordingly, Spatz and Graham fail to teach or suggest the independent claims of the subject applications. Reconsideration and withdrawal of the rejections of claims 1-7 are respectfully requested.

Summary

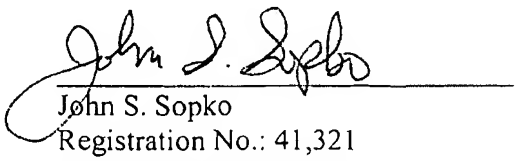
Therefore, Applicants respectfully submit that independent claims 1, 6 and 7, and all claims dependent therefrom, are patentably distinct. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

No claim fee is believed to be due with this submission. Nevertheless, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R

§ 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Respectfully submitted,



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